

Drainage Board met in their regular meeting place in the Rush County courthouse on August 30, 2010 at 10:15 a.m. with the following present: Marvin L. Cole, T.H. Barnes, Ken Masters, members; Marvin L. Rees, Surveyor; Michele Gordon, secretary. Leigh Morning, Drainage Board attorney was absent.

Minutes of the previous meeting were approved and signed by motion of Masters, with a 2nd by Barnes.

COLLYER/KEHL/WILKINSON – HEARING

The hearing was called to order. Interested parties present are on a list which can be found in the Surveyor's office. The Surveyor gave his report stating that the balance in the maintenance account of this drain is a negative \$4,700.00. He is recommending raising the maintenance assessment to \$10.00 per acre. Those present were in favor as long as the assessment was not a lifetime assessment. A motion was made by Barnes, with a 2nd by Masters, to raise the maintenance assessment to \$10.00 per acre for a period of 5 years. Motion carried and the Final Order was signed. A motion was then made by Barnes, with a 2nd by Masters, to close the hearing. Motion carried.

COUNTY FARM DRAIN

There has recently been a survey completed that now determines property lines and there is a tile that needs to have work done to it. The Surveyor will have Gettinger Excavating make the repairs and he will talk to Mr. Niedenthal who is an adjoining landowner and hopefully get his cooperation concerning these repairs. This work will help with flooding issues that have arisen in the past but it will not eliminate the possibility of future flooding.

HENRY SCHRADER TILE – HEARING CONTINUATION

The only landowner present was Bill Smith and he once again asked the Board to delay a final determination on the proposed reconstruction of this tile. A motion was made by Barnes, with a 2nd by Masters, to continue the hearing until December 6, 2010 at 10:30 a.m. Motion carried.

WAITS-WRIGHT TILE

The Surveyor asked permission to mail a letter to the landowners involved in the construction of this tile and ask if they would be willing to pay their assessments in full as soon as possible. If this was accomplished there would not be a reason to borrow any money to pay for this project. The Board granted permission.

WILLIAMSTOWN

The Board has asked the Surveyor to attend a Decatur County Drainage Board meeting and ask for joint jurisdiction of the drain in Williamstown. The Surveyor will make arrangements to appear before their Board on September 13, 2010 and make a report to the Rush County Board at their meeting that same day.

BLOUNT/FLETCHER – HEARING

The hearing was called to order. The Surveyor wanted to note that the certified copy of the newspaper notice that was put in the New Castle paper was not what he usually receives. The actual notice is normally copied onto a piece of paper which is then notarized. The notarized paper he received does not show the legal notice. The legal notice was included separately.

Interested parties present can be found on a list in the Surveyor's office. At the previous hearing concerning this proposed reconstruction it was decided that a portion of this tile will be turned into an open drain and so updated estimated assessments were sent to the landowners. All landowners present at the hearing were in favor of proceeding with the proposed reconstruction. The Board informed them that in order to proceed a loan would have to be taken out to cover expenses and the interest on this loan would be an additional cost to the landowners. They all said they were still in favor of proceeding. A motion was then made by Barnes, with a 2nd by Masters, to approve the proposed reconstruction. Motion carried and the Final Order was signed. A motion was then made by Masters, with a 2nd by Barnes, to close the hearing. Motion carried.

There being no further business to come before the Board a motion to adjourn was made by Masters, with a 2nd by Barnes. Motion carried.

Marvin L. Cole

T.H. Barnes

Ken Masters